

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

In Re: Delete, Delete, Delete

)
)
)
)
)

GN Docket No. 25-133

**COMMENTS OF
THE INFORMATION TECHNOLOGY INDUSTRY COUNCIL**

Katie McAuliffe
Senior Director,
Telecommunications Policy

Information Technology Industry Council
700 K Street NW. Suite 600
Washington, D.C. 20001
(202) 737-8888

April 11, 2025

TABLE OF CONTENTS

I.	Introduction and Summary.....	1
II.	Equipment Authorization Reforms	2
	A. Test Once, Accept Everywhere	2
	B. Additional Equipment Authorization Reforms	3
III.	Labeling and Packaging	5
IV.	Accessibility	7
	A. Programming Accessibility	7
	B. Interoperable Video Conferencing Accessibility	8
V.	Keep Schools and Libraries Protected	9
VI.	Simplification and Clarification of Telephone Consumer Protection Act Rules	9
VII.	Spectrum.....	10
VIII.	Data Breach Notifications	11
IX.	Conclusion.....	11

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

In Re: Delete, Delete, Delete

)
)
)
)
)

GN Docket No. 25-133

**COMMENTS OF
THE INFORMATION TECHNOLOGY INDUSTRY COUNCIL**

I. Introduction

The Information Technology Industry Council (ITI) appreciates the opportunity to submit these comments to the U.S. Federal Communications Commission (FCC or Commission) in response to the Public Notice In Re: Delete Delete Delete to alleviate unnecessary regulatory burdens.¹ ITI and our members are available to follow up with Commission staff should there be any additional questions about the below suggestions for regulatory streamlining at the Commission. We applaud the Commission for taking these steps as there are significant opportunities for regulatory reform to reduce burdens on industry and consumers alike.

ITI is the premier global advocate for technology, representing the world's most innovative companies. Founded in 1916, ITI is an international trade association with a team of professionals on four continents. We promote public policies and industry standards that advance competition and innovation worldwide. Our diverse membership and expert staff provide policymakers with the broadest perspective and thought leadership from technology, hardware, software, services, manufacturing, and related industries.

¹ FCC, *In Re: Delete Delete Delete*, Public Notice, DA 25-219, GN Docket No. 25-133 (Mar. 7, 2025), <https://docs.fcc.gov/public/attachments/DA-25-219A1.pdf>

II. Equipment Authorization Reforms

a. Test Once, Accept Everywhere

ITI recognizes the importance of the Commission's equipment authorization process. Here we offer some suggestions to streamline the process to support innovation and technology growth, while maintaining an effective system. The FCC's equipment authorization process is widely viewed as fragmented and complex, creating challenges for technology equipment manufacturers seeking efficient market access. A central issue is the lack of clarity and consistency in determining whether a product should follow the Supplier's Declaration of Conformity (SDoC) or Certification pathway. The rules vary depending on which part of the FCC regulations applies—such as Parts 15, 22, or 90—which are not always clearly delineated. Devices that incorporate multiple technologies, like smartwatches with Wi-Fi, Bluetooth, and LTE, may be subject to overlapping or conflicting requirements. The Certification path adds further complexity by involving multiple parties: manufacturers must work with accredited test labs, submit applications through a Telecommunication Certification Body (TCB), and coordinate with the FCC's Office of Engineering and Technology (OET) for clarification. Many times, such OET guidance is unpublished. This multi-layered approach increases time-to-market and costs. Finally, the Equipment Authorization System requires disclosure of intellectual property in the form of schematics and internal photo exhibits.

ITI urges the FCC to clarify and simplify its rules, consolidate guidance, and modernize outdated regulations. Specifically, the FCC could move some lower risk intentional radiators, or even all intentional radiators over time, to the SDoC process in lieu of Certifications, similar to the process that currently works for the EU. The European Commission requests and recognizes standards and recognizes notified bodies (NBs). Then, if recognized "harmonized" standards are in place, manufacturers can self-declare. If no recognized standards exist, manufacturers can certify through an NB.

Streamlining the Pre-Approval Guidance System. If the FCC does not agree with moving more products to the SDoC process, it should consider streamlining the Pre-Approval Guidance (PAG) system to remove uncertainty on equipment certification timelines and reduce costly delays in getting products to market. The PAG system and being able to work with the FCC OET Lab is very beneficial for new technology and innovation. However, there needs to be more efficiency in the process. The PAG process can be "open ended" and take many months to receive an answer from the OET.

Items shouldn't be on the PAG list for more than two years. The idea of the PAG process was for new technology and innovation to have a path for Certification until the process or procedure was documented either by rule or by Knowledge Database (KDB) guidance. Once the rule or KDB guidance is published shortly thereafter the item on the PAG list should be removed as it has a documented process. The Commission could find ways to reduce the scope of the PAG List more quickly. ITI does not believe that common, now nearly ubiquitous, technologies such as 6 GHz unlicensed Wi-Fi transmitters and widely accepted test methods such as the time averaged SAR (TAS) should still require PAGs nearly five years after their introduction. The Commission should limit use of PAG to cases where absolutely necessary and empower TCBs to make more

certifications and decisions, especially where the Commission has already reviewed manufacturers' exhibits. For absolutely necessary cases when PAG is used, the PAG process should end after it has been used on a technology for 12 months. After 12 months, the review authority can be delegated to a TCB.

International manufacturers face additional hurdles due to the FCC's limited recognition of foreign testing. While Mutual Recognition Agreements (MRAs) exist, not all international labs qualify under them. As a result, products tested to global standards often must be retested in FCC-recognized labs, undermining the goal of reducing redundant testing. Compounding these issues, many FCC rules still reference outdated technologies, and relevant documentation is scattered across formal rules, guidance documents, the Knowledge Database (KDB), and public notices, making compliance more difficult. Overall, the Commission could undertake developing a more user-friendly version of the OET website.

Test once, accept everywhere. To address these challenges, the Information Technology Industry Council (ITI) advocates for a risk-based approach that expands the use of SDoC for low-risk devices and reduces reliance on the more burdensome certification process.² ITI supports a "test once, accept everywhere" model and encourages the FCC to broaden MRAs and accept results from internationally accredited labs. Harmonizing technical requirements with international standards from organizations like the IEC, ISO, and ITU would further streamline compliance and promote global consistency. More flexibility to leverage data referencing for similar products and more flexibility to leverage regulatory compliance testing done on new wireless technologies to cover legacy wireless technologies can accelerate the adoption of test reduction methods. Additionally, quicker acceptance of new technologies, such as Vector Based SAR Measurement systems, can speed up the regulatory testing process while reducing costs.

b. Additional Equipment Authorization Reforms

In addition to the broader issues identified above regarding the FCC's fragmented and outdated equipment authorization process, ITI offers several supplemental recommendations to further streamline and modernize the system. These recommendations focus on enabling copper retirement, eliminating outdated procedural bottlenecks, reducing duplicative testing, and realigning FCC processes with modern device architecture and global best practices.

Eliminate regulatory burdens and ease requirements for enabling copper retirement. The Commission should continue to act and remove regulatory burdens to help streamline the process for all stakeholders and further speed up the approvals for removing copper. ITI members are supportive of the recent orders issued by the Wireline Competition Bureau and would like the Commission to continue pushing for increased network modernization efforts including the deployment of fiber optics.³ As part of its review process, the FCC should also work with local and state regulatory agencies to evaluate remaining regulatory obstacles and provide for faster solutions and approvals for the removal of legacy copper.

² ITI Position Paper: 1-1 SDoC (Jan. 2024), <https://www.itic.org/dotAsset/a8576fef-91f7-4b37-a3c0-17b2187ffdbe.pdf>

³ FCC, *Cutting Red Tape to Unleash New Infrastructure Investments*, News Release, FCC (Mar. 14, 2024), <https://www.fcc.gov/document/fcc-cutting-red-tape-unleash-new-infrastructure-investments>

Eliminate current restrictions on permissive changes that involve modifying a device's equipment class. These limitations, based on unpublished guidance based on the KDB 178919 guidance rather than codified rules, prohibit applicants from submitting permissive change requests to revise an authorization's equipment class, even if no underlying technical change has occurred. This policy is a relic of earlier regulatory eras and has little relevance for modern modular devices. The FCC should allow equipment class changes under defined conditions to reduce unnecessary re-certification burdens and ensure regulatory clarity.

Significantly increase or eliminate the current 12,000-unit cap on pre-certification device imports. The existing limit was designed for a different market reality and now functions as a practical barrier to product testing, evaluation, and early customer engagement. Moreover, companies may be forced to publicly certify products earlier than necessary, raising confidentiality concerns. The Commission should modernize these rules and review related labeling and handling requirements for consistency with contemporary manufacturing and go-to-market models.

Allow the use of international emission limits and test methods for multimedia equipment US-manufactured multimedia equipment (MME, including information technology equipment, audio equipment, video equipment, broadcast receiver equipment, and entertainment lighting control equipment) authorized as unintentional radiators according to Parts 2 and 15 of the FCC rules cannot be exported to the rest of the world unless additional testing to the international standard CISPR 32 is also performed. This additional testing and associated equipment design changes are burdensome to US companies, adding extra cost and time to market, and contributes to the US trade imbalance with other countries. ITI urges the FCC to allow responsible parties the option of applying the emission limits and test methods established in CISPR 32 instead of the specific test limits in Part 15 of the FCC Rules and the test method defined in ANSI C63.4 (that are incorporated by reference). This option should be permitted for all equipment types that are in the scope of CISPR 32, with the emission limits and test methods currently prescribed in Part 15 applying as is to all other types of unintentional radiator equipment. Allowing the use of the CISPR 32 test methods and limits would ensure that US companies can export US products more successfully.

Revise treatment of composite systems to reduce redundancy. The Commission should revise its treatment of composite systems—defined in 47 C.F.R. §§ 2.947 and 15.31(k) as configurations of multiple certified devices housed in one enclosure or interconnected by cable—to avoid redundant system-level emissions testing, particularly for fixed installations that are assembled and intended to be used permanently at a predefined location. When each sub-component has already been independently certified, and the full system is not mobile or likely to introduce new interference dynamics, further composite testing offers little value. This requirement is especially burdensome for large-scale infrastructure such as data centers, where system size and immobility make transport to accredited labs impractical. Exempting fixed installations or allowing test referencing could support national priorities like data center expansion, AI infrastructure readiness and revamping US manufacturing sectors by reducing compliance costs and better align with global RF frameworks—without compromising spectrum integrity.

III. Labeling and Packaging

ITI encourages the Commission to take this opportunity to streamline and modernize labeling rules by expanding the permissible use of QR codes, harmonizing inconsistent labeling requirements across FCC programs, and reducing unnecessary packaging language that can undermine accessibility and usability. Overall, ITI supports expanded use of QR codes and would like to see QR codes allowed for all devices certified under Part 2 procedures including modules, computers, laptops etc. as this enables one label for all markets. To allow for increased QR code use and consistently applied QR code rules throughout Commission guidance, we highlight inconsistencies between the Commission’s recently adopted Cyber Trust Mark (CTM) Report and Order⁴ and Hearing Aid Compatibility (HAC) Report and Order,⁵ both issued in 2024.

In the HAC R&O, the Commission prohibits the use of QR codes to fulfill external packaging label requirements for hearing aid compatibility, explicitly stating that “we will not allow handset manufacturers and service providers to deliver this information to consumers using digital labeling technology”.⁶ However, in the CTM R&O, the FCC mandates that manufacturers include a QR code on external packaging as part of the labeling scheme, agreeing that “placing a QR Code on the packaging is preferable to placing it on the device”, and that “approval to use the Cyber Trust Mark is conditioned on the label also bearing the QR Code... on product packaging.”⁷ These contradictory treatments not only complicate compliance across product lines but also create regulatory uncertainty for manufacturers.

The HAC R&O emphasizes that detailed printed labels on external packaging are necessary to ensure access for individuals with hearing loss. However, this approach conflicts with established best practices for accessible packaging, particularly regarding font size, label clutter, and overall legibility—concerns that were acknowledged in the CTM R&O but left unaddressed in the HAC context. Notably, the HAC R&O imposes a requirement to include a URL alongside the in-box QR code, based on the assumption that users with accessibility needs may not understand how to use QR codes. This rationale stands in tension with the FCC’s approach in the CTM R&O, which rightly embraces QR codes as a dynamic, accessible, and modern labeling solution for critical consumer information like cybersecurity. In short, the FCC got it right with the Cyber Trust Mark—and got it wrong with HAC.

The CTM proceeding rightly recognizes that QR codes improve accessibility by linking consumers to dynamically updated and detailed information—something not possible with static print—saying “Consumers should not have to open the package to get information... Placing a QR Code on the packaging is preferable to placing it on the device.”⁸ In contrast, while the HAC rules allow QR codes with a URL to make available to user information to be provided on printed internal inserts or

⁴ FCC, *Report and Order on Cybersecurity Labeling for Internet of Things*, FCC 24-26 (Mar. 14, 2024), <https://docs.fcc.gov/public/attachments/FCC-24-26A1.pdf>.

⁵ FCC, *Report and Order on Hearing Aid Compatibility Requirements*, FCC 24-112, (Feb. 15, 2024), <https://docs.fcc.gov/public/attachments/FCC-24-112A1.pdf>.

⁶ *Id.*, ¶ 103, at 41.

⁷ See *Report and Order on Cybersecurity Labeling for Internet of Things*, FCC 24-26, ¶ 109, at 55.

⁸ *Id.*, ¶ 109, at 55.

manuals,⁹ HAC rules adopted in the very same order continue to rely on dense printed packaging language and external labeling, which can reduce label readability and may even diminish accessibility for some users. Additionally, the HAC R&O introduces ambiguity around the placement and accessibility of QR code-linked information. While the rule permits in-box delivery of hearing aid compatibility details via QR code or URL, the text also references the importance of information being available to consumers at the point of sale, creating confusion as to whether the label must be externally visible.¹⁰ In both proceedings, concerns about pre-sale access to information were cited, but resolved in opposite ways—one requiring physical print, the other embracing QR code use.

These inconsistencies undermine regulatory efficiency and consumer clarity. As outlined in ITI's April 2024 Position Paper on E-Labeling,¹¹ physical labeling requirements have become increasingly unsustainable, especially as devices become smaller and more complex. E-labeling through QR codes reduces visual clutter, improves accessibility for users with visual or cognitive impairments, enables real-time information updates, and minimizes environmental impact and manufacturing costs. ITI strongly recommends that the Commission harmonize its labeling rules by adopting a more flexible, modernized approach that treats QR codes as a viable—and in many cases, preferable—alternative to dense printed labels.

Specifically, ITI urges the FCC to:

- Allow the use of QR codes without superfluous URLs for external labeling on all device packaging and across all programs, including HAC;
- Clarify when labels must appear on external versus internal packaging to avoid conflicting interpretations;
- Eliminate or reduce mandatory printed language that duplicates information accessible through QR codes, especially when such language may reduce label legibility;
- Encourage use of QR codes that lead to centralized, multilingual product compliance resources—consistent with ITI's e-labeling recommendations and international standards such as ISO/IEC 22603-1 and 22603-2.
- Streamline required regulatory language for readability and consistency with current technologies and engineering practices. Rule 15.105(b) provides a good example.

⁹ “While we require the continued use of external printed package labels, we will allow handset manufacturers and service providers to use digital labeling technology to deliver to consumers the information that would otherwise have to be provided using a printed insert or printed handset manual, as long as companies utilizing this approach maintain publicly accessible websites where consumers can easily find the information required by our rules. The information that handset manufacturers and service providers can provide to consumers using digital labeling technology is the same information that they would otherwise have to deliver to consumers using printed package inserts or printed handset manuals.” See Report and Order on Hearing Aid Compatibility Requirements, FCC 24-112, ¶ 104.

¹⁰ FCC, Report and Order on Hearing Aid Compatibility Requirements, FCC 24-112, ¶ 101-108, at 40 (“Further, the use of digital labeling technology allows consumers to visit a company’s publicly accessible website and access the required information at the point-of-sale while consumers are in stores making purchasing decisions.”), ¶ 105 (Feb. 15, 2024), <https://docs.fcc.gov/public/attachments/FCC-24-112A1.pdf>.

¹¹ Information Technology Industry Council, Position Paper: E-Labeling (Apr. 4, 2024), <https://www.itic.org/policy/e-labeling-position-paper>.

ITI believes the FCC could implement a QR code policy more closely aligned with responsiveness to consumer needs and flexibility for manufacturers by creating a consistent policy across the FCC that encourages QR code use across internal and external package labeling.

IV. Accessibility

a. Programming Accessibility

While the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), Pub. L. No. 111-260, 124 Stat. 2751 (2010) has played a critical role in advancing accessibility in communications and video programming, many of its implementing rules are now outdated, redundant, or misaligned with current technologies and consumer expectations. Changes can be made to uphold the spirit of the CVAA while eliminating regulatory burdens that no longer serve their intended purpose.

Revise 47 C.F.R. § 79.107(a)(2) to exempt display-only monitors from the requirement that any built-in functions accessed through on-screen text menus be accompanied by audio output for blind or visually impaired users. These monitors do not have standalone processing capability and rely on host devices to deliver content and accessibility features. Imposing audio output requirements on these monitors adds cost and complexity without delivering corresponding accessibility benefits—particularly when manufacturers offer alternative software-based tools.

Sunset obsolete IP captioning requirements under 47 C.F.R. § 79.4, many of which still reference outdated technologies such as Flash-based media players. Today's video ecosystem has largely transitioned to HTML5-based and mobile-native streaming environments, which offer robust native support for closed captioning and user customization. Updating these rules to reflect current platforms would reduce compliance complexity and provide clearer guidance to modern content providers.

The existing rules governing closed captioning styles are overly prescriptive, making technical implementation unnecessarily complex and potentially undermining usability. The Commission should streamline these requirements to preserve the core accessibility objectives—namely, ensuring usability for individuals who are deaf, hard of hearing, or have vision loss—while allowing greater flexibility in how accessibility is achieved.

The Commission could also revisit its legacy mandates for support of 608/708 caption formats, particularly when more modern formats like Subtitles for the Deaf and Hard of Hearing (SDH) offer better performance and user experience. The United States is currently one of the few markets where providers are required to support both CC and SDH formats simultaneously. As long as captions meet defined performance standards, industry should be allowed to adopt more advanced formats without being bound to outdated technical requirements.

Modernize accessibility rules for video navigation devices under 47 C.F.R. § 79.108. These rules, designed in the era of traditional set-top boxes, no longer reflect how most consumers access content today—through smart TVs, apps, or cloud-based interfaces. A shift toward platform-agnostic accessibility standards would foster innovation and encourage more responsive design solutions.

Revisit Section 14.31(a)(3) and related rules, which require ACS providers to maintain detailed records and respond to consumer complaints under uniform conditions. A tiered compliance structure or exemptions for low-volume providers would ensure that smaller entities are not disproportionately burdened. A risk-based model would promote fairness while still preserving accountability.

Phase out outdated TTY compatibility mandates in 47 C.F.R. §§ 6.5 and 7.5, as most users have transitioned to real-time text (RTT) and IP-based communication tools. Maintaining backward compatibility with TTY technology introduces unnecessary hardware and software complexity and does little to advance meaningful accessibility today.

Establish a “platform safe harbor” for services and applications that operate on widely used, accessible operating systems like iOS and Android. Currently, CVAA obligations apply independently to each service or device, even if built on an accessible host platform. By adopting a safe harbor model, the FCC can eliminate duplicative testing and certification requirements while ensuring continued accessibility for end users.

b. Interoperable Video Conferencing Accessibility

ITI respectfully recommends that the FCC close CG Docket No. 23-161 concerning Interoperable Video Conferencing Services (IVCS) and take no further regulatory action at this time.

The Commission only recently adopted new IVCS-specific accessibility performance objectives in late 2024, and compliance is not required until January 2027. Stakeholders are still in the early stages of implementation and cannot reasonably assess the effectiveness of these new rules or whether additional requirements are necessary. Moving forward with further regulation now would be premature and counterproductive, particularly given the rapid pace of innovation already occurring in the IVCS space—much of it driven by voluntary industry action rather than regulatory mandates.

Moreover, the proposals raised in the underlying FNPRM are overly granular and risk crossing into prohibited technical mandates under the CVAA. The IVCS ecosystem is diverse and evolving, with use cases ranging from enterprise collaboration to telehealth, education, and consumer-facing applications. Imposing uniform technical requirements could restrict design flexibility, stifle innovation, and even degrade the accessibility experience for some users. In some cases, new mandates may also introduce privacy and security risks. In keeping with the Commission’s goals to reduce regulatory burden while preserving core public interest protections, ITI urges the FCC to formally close the IVCS docket, allow the recently adopted rules to take full effect, and revisit further action only after the industry has had time to comply and meaningful feedback has been gathered.

V. Keep Schools and Libraries Protected

As the Commission considers streamlining its regulations, it is critical that efforts to eliminate outdated or burdensome rules do not inadvertently undermine essential programs that support broadband connectivity in schools, including cybersecurity. The E-Rate program and the Schools and Libraries Cybersecurity Pilot Program are not examples of regulatory excess — they are targeted, modern tools that fill a crucial gap in national cybersecurity infrastructure. Unlike other federal programs (e.g., ESSER, Emergency Connectivity Fund), E-Rate is the only federal program dedicated to broadband connectivity for K-12 schools that currently have an explicit cybersecurity component. Without E-Rate support, schools must rely on fragmented, insufficient, or unrelated funding sources to address cybersecurity needs.

There remains an urgent need to expand eligibility, modernize support, and clarify existing rules to ensure that schools and libraries can effectively defend their networks. For example, schools need access to modern tools like next-generation firewalls (NGFWs), endpoint detection and response (EDR), DNS security, and managed security services. The FCC already has the legal authority under Section 254 to update the Eligible Services List to include modern cybersecurity tools and services.

Additionally, the Schools and Libraries Cybersecurity Pilot is not redundant, but fills a gap in current funding mechanisms. Following the completion of the pilot program, ITI hopes to see the program be structured for success through updates to the E-Rate Eligible Services List to include cybersecurity services for network infrastructure, through upfront, flexible funding, inclusion of small and rural schools, and the option for multi-year procurement to support lasting impact. Rolling back or constraining these initiatives in the name of deregulation would jeopardize the very connectivity and educational access that E-Rate is designed to protect. The Commission must ensure that any regulatory clean-up reinforces, rather than weakens, the cybersecurity resilience of K-12 institutions and public libraries.

VI. Simplification and Clarification of Telephone Consumer Protection Act Rules

The Commission should simplify and modernize the TCPA rules by initiating a comprehensive review of 47 CFR § 64.1200. The current framework reflects years of layered regulatory action—new obligations followed by carveouts and exemptions—resulting in a fragmented, complex structure that relies heavily on cross-references and prior Commission orders. This complexity creates ambiguity for regulated parties, increases compliance costs, and has fueled inconsistent judicial interpretations. A comprehensive restructuring would promote clarity, reduce litigation, and allow entities to implement durable, scalable compliance programs.

As part of this review, the Commission should:

- Consolidate rules by call type and purpose (e.g., marketing, informational, emergency) to improve readability and logical structure;
- Codify key definitions—such as autodialer, prerecorded/artificial voice, and prior express consent—in a manner consistent with current judicial precedent;
- Eliminate duplicative and outdated provisions and clarify rule language to reduce reliance on interpretive orders;

- Establish safe harbors for callers that implement recognized best practices (e.g., STIR/SHAKEN authentication, clear opt-out mechanisms, DNC compliance); and
- Clarify procedures for disputing erroneous call blocking or spam labeling under robocall mitigation programs.

The Commission should also revise the consent revocation rule to narrow the definition of “reasonable means” and create a safe harbor for callers who provide clearly disclosed, consumer-friendly opt-out mechanisms. The current rule is overly broad and difficult to implement at scale, especially in automated systems. Specifying acceptable revocation language and methods would enhance compliance consistency and reduce operational burdens.

The Commission also should review the application of the TCPA to text messaging. The statute was enacted before the advent of texting, and its extension to this medium—through interpretation rather than congressional action—has imposed substantial liability risks on businesses engaged in legitimate, consumer-beneficial communications. If the Commission believes text messaging should be governed under the TCPA framework, it should seek explicit congressional authorization to do so. In the meantime, the Commission should clarify that text messaging is outside the scope of current TCPA rules or adopt separate, narrowly tailored rules that reflect the unique characteristics of text-based communications.

These reforms will better align the TCPA with its original intent, reduce regulatory ambiguity, and improve both compliance and consumer protection outcomes.

VII. Spectrum

Increased power limits for 6GHz band devices. The Commission could revisit its technical rules for very low power (VLP) 6 GHz devices. The current -5 dBm/MHz limit may be unnecessarily conservative in light of improved propagation models and ongoing testing of VLP implementations. A review of the technical record could help identify circumstances under which power limits could be safely increased to improve wireless performance and innovation in dense indoor environments.

Cruise ship connectivity. In 2020, the Commission adopted regulations that prohibit 6GHz unlicensed operations on all boats to protect Earth Exploration Satellite Service (EESS) operations from interference.¹² We do not believe the Commission intended to block 6GHz Wi-Fi connectivity for guests vacationing on cruise ships and suggest the Commission modify its rules to allow low-power indoor 6GHz unlicensed operations, especially Wi-Fi, on cruise ships with reasonable protections for EESS.

Space-based connectivity. The FCC has expressed its vision for US leadership in space, and the FCC rules should reflect this objective. Regulations should promote space innovation and deployment. To that end, the FCC should ensure that its licensing standards promote technological development in ways that make the US the most business-friendly environment in the world for companies in the satellite ecosystem. The FCC should reexamine its rules, and either harmonize regulations that set it negatively apart from its counterparts or improve upon regulations to ensure that America maintains its competitive edge. For example, 47 CFR § 25.164 requires US-

¹² *FCC, Report, Order and FNPRM*, ET Docket No. 18-295; GN Docket No. 17-183. ¶ 212, at 80 (Apr. 24, 2020) <https://docs.fcc.gov/public/attachments/FCC-20-51A1.pdf>.

licensed satellite systems to halt deployment if they miss specific US buildout milestones, which are often more stringent than international standards. These milestones impose arbitrary deadlines for launching a certain number of satellites, and set the FCC apart from licensing authorities abroad. These rules merit reconsideration and/or modification. Similarly, the FCC should ensure that, unless they offer meaningful incentives or improved outcomes, its space safety regulations align with those of other countries. Making these types of changes will help the FCC achieve its policy goals and maximize public interest benefits for consumers as space-based technologies continue their rapid evolution.

VIII. Data Breach Notifications

The Commission should reverse rules from the 2023 Data Breach Order that expand the definition of covered data and eliminate Subparts U and EE. As noted in comments from ITI, expanding the definition of “covered data” to include personally identifiable information beyond customer proprietary network information creates a risk of over-notification and consumer fatigue, without materially improving data security or privacy outcomes. ITI further warns that the Order may run afoul of the Congressional Review Act, as it relies on the same legal authorities—Sections 201(b) and 222—as the disapproved 2016 Broadband Privacy Order. Moreover, the outdated safeguard provisions, including rigid authentication protocols, can impede the adoption of modern security best practices. Consistent with ITI’s recommendations, the Commission should adopt a harm-based notification standard and align any breach reporting obligations with existing federal frameworks like CIRCIA to ensure clarity, efficiency, and legal durability.

IX. Conclusion

Thank you for the opportunity to provide comments in this proceeding.

Respectfully submitted,

Katie McAuliffe
Senior Director, Telecommunications Policy
Information Technology Industry Council